

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 631

By: Hamilton

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5  
6 AS INTRODUCED

7 An Act relating to state preemption of federal  
8 infringement of Second Amendment rights; creating the  
9 Second Amendment Sanctuary State Act; preempting  
10 field of legislation; prohibiting certain entities  
11 from accepting certain grants or funding; clarifying  
12 provisions; providing definition; providing for  
13 codification; and declaring an emergency.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 1289.24d of Title 21, unless  
17 there is created a duplication in numbering, reads as follows:

18 This act shall be known and may be cited as the "Second  
19 Amendment Sanctuary State Act".

20 SECTION 2. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 1289.24e of Title 21, unless  
22 there is created a duplication in numbering, reads as follows:

23 A. Acting upon Section 1 of Article I of the Oklahoma  
24 Constitution, which provides that the Constitution of the United  
States is the supreme law of the land; and acknowledging that rights

1 are unalienable, as stated in our Declaration of Independence, and  
2 that the well-armed and well-regulated citizenry of this state,  
3 bearing all manner and quantities of arms, ammunition, and  
4 accessories, all perfectly legal under current state and federal  
5 legislation and jurisprudence, has provided a serious effective  
6 deterrent to crime, a crucial balance of power with the forces of  
7 tyranny, and a guarantee of the rights and freedom enshrined in our  
8 Constitution.

9 B. The State Legislature hereby occupies and preempts the  
10 entire field of legislation by the federal government, any agency of  
11 this state or any political subdivision in this state to infringe  
12 upon the rights of a citizen of the State of Oklahoma the  
13 unalienable right to keep and bear arms as guaranteed to them by the  
14 Second Amendment of the United States Constitution.

15 C. Any agency of this state or any political subdivision in  
16 this state shall be prohibited from accepting any grants or funding  
17 to implement any statute, rule or executive order, judicial order or  
18 judicial findings that would have the effect of reduction,  
19 repression, diminution or subversion of the right to keep and bear  
20 arms against or upon a citizen of this state.

21 D. The provisions of this section shall not be interpreted as  
22 an attempt to overturn the provisions of the National Firearms Act  
23 of 1934 (NFA) or the provisions of the Gun Control Act of 1968,  
24 notwithstanding the repealed sections of the acts.

1 E. The preemption provided in this act shall include:

2 1. Any regulation of arms and ammunition, pursuant to the  
3 National Firearms Act of 1934, prohibited or regulated on or after  
4 the effective date of this act; and

5 2. Any regulations or provision of the Gun Control Act of 1968,  
6 prohibited or regulated on or after the effective date of this act.

7 F. For purposes of this section:

8 1. "Arms" is defined as any firearm, firearm part, accessory,  
9 or ammunition required to render that firearm operable and  
10 effective; and

11 2. "Infringement" shall mean any law that reduces, represses,  
12 diminishes or subverts the right to keep and bear arms, ammunition,  
13 parts, and accessories in any amount that is legal as of the  
14 effective date of this act of any citizen in this state.

15 G. This act is made pursuant to the provisions of the  
16 Constitution of the United States and is therefore valid and of full  
17 effect under the supremacy clause.

18 SECTION 3. It being immediately necessary for the preservation  
19 of the public peace, health or safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

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23 58-1-1402 MR 1/21/2021 10:44:27 AM  
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